# Exhibit 160 (Filed Under Seal)

# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

FOREST LABORATORIES, INC., et al.,	) )
Plaintiffs,	) C.A. No. 08-021 (GMS) (LPS) (Consolidated)
vs.	)
LUPIN PHARMACEUTICALS, INC., et al.,	)
Defendants.	)
	J

### STIPULATION AND ORDER

The Court, upon the consent and request of Plaintiffs Forest Laboratories, Inc.,

Forest Laboratories Holdings Ltd., Merz Pharma GmbH & Co. KGaA and Merz Pharmaceuticals

GmbH (collectively, "Plaintiffs") and Defendants Dr. Reddy's Laboratories, Inc. and Dr.

Reddy's Laboratories, Ltd. (collectively, "DRL"), hereby acknowledges the following

Stipulation and issues the following Order.

### **STIPULATION**

- 1. In this Action, Plaintiffs have charged DRL with infringement of U.S. Patent No. 5,061,703 ("the '703 Patent") in connection with DRL's submission of Abbreviated New Drug Application ("ANDA") No. 90-048 directed to generic tablets containing 5 milligrams or 10 milligrams of memantine hydrochloride per tablet to the U.S. Food and Drug Administration ("FDA").
- 2. In response to Plaintiffs' charges of patent infringement, DRL has alleged certain defenses and counterclaims, including that the '703 Patent is invalid and/or not infringed by the generic tablet products containing 5 milligrams or 10 milligrams of memantine hydrochloride that are the subject of ANDA No. 90-048. No decision has been obtained by

either party from this Court regarding these charges of infringement or these defenses and counterclaims.

3. Plaintiffs and DRL jointly request that the Court stay this Action with respect to DRL and adjourn all currently scheduled dates in this Action with respect to DRL, in view of the parties' settlement negotiations.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

POTTER ANDERSON & CORROON LLP

/s/ Maryellen Noreika

/s/David E. Moore

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and Dr. Reddy's Laboratories, Ltd.

### **ORDER**

Accordingly, pursuant to the above Stipulation, and upon the consent and request of Plaintiffs and DRL, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

- 1. This Action is stayed with respect to DRL.
- All currently scheduled dates in this Action with respect to DRL are adjourned.

SO ORDERED thi	s day of	, 2009

HONORABLE LEONARD P. STARK UNITED STATES DISTRICT JUDGE

## Morris, Nichols, Arsht & Tunnell

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Maryellen Noreika 302 351 9278 302 425 3011 Fax mnoreika@mnat.com November 16, 2009

The Honorable Leonard P. Stark United States District Court For the District of Delaware 844 North King Street Wilmington, DE 19801 VIA ELECTRONIC FILING

Re: Forest Laboratories, Inc. et al. v. Cobalt Laboratories, Inc., et al.

C.A. No. 08-021-GMS-LPS (Consolidated)

Dear Judge Stark:

Enclosed is a stipulation seeking to stay the litigation as to DRL in light of settlement discussions. Counsel are available to discuss or to answer any questions the Court may have.

Respectfully,

/s/Maryellen Noreika

Maryellen Noreika (#3208)

MN/dlb

cc:

Clerk of the Court (Via Hand Delivery)

All Counsel of Record (Via Electronic Mail)